

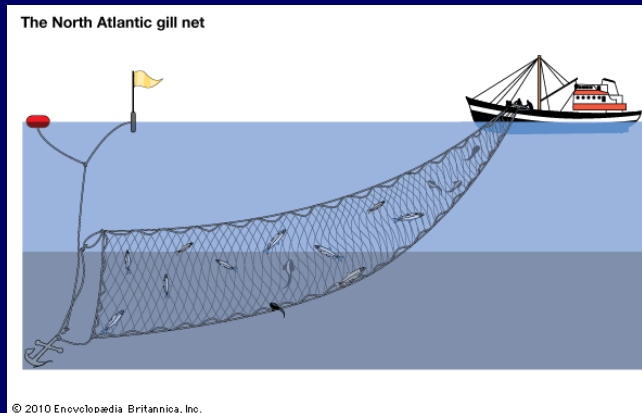
# RI Department of Environmental Management

## Marine Fisheries

# PRE-HEARING WORKSHOP



June 5, 2017



# Workshop Rules of Engagement

- RIDFW staff will provide presentation on each of the proposed regulation amendments;
- Discussion will ensue upon completion of each presentation. Discussion should focus on:
  - Understanding of the rationale behind each of the proposed amendments;
  - Recommendations of alternatives.
- **IMPORTANT!** The workshop discussion is *not* an official public record. **Comments and/or proposals can be submitted during the public hearing on June 12<sup>th</sup> or provided in writing/email during the public comment period (ending June 19).**



## Workshop Items

1. Public hearing Item 1a: Recreational black sea bass season and possession limit
2. Public Hearing Item 1b: Commercial monkfish possession limit
3. Public Hearing Item 2: Proposed amendments to RIMFR Part 6 – General Equipment Provisions.
4. Public Hearing Item 3: Proposed amendments to RIMFR Part 7 – Dealers.



# Hearing Item 1a: Recreational Black Sea Bass

## Proposed Management Options:

Option	Min. Size	Season	Possession Limit
Current management	15"	5/24 – 8/31	3 fish
		9/1 – 9/21	7 fish
		9/22 – 10/21	CLOSED
		10/22 – 12/31	7 fish
<b><u>Option 1:</u></b>	15"	5/24 – 8/31	3 fish
		9/1 – 9/21	7 fish
		9/22 – 10/21	CLOSED
		10/22 – <del>12/31</del> <b><u>10/31</u></b>	7 fish
		<b><u>11/1 – 12/31</u></b>	<b><u>5 fish</u></b>



# Hearing Item 1b: Commercial Monkfish Possession limit

## Proposed Management Options:

Option	Possession Limit
Current management	550 lbs tail/1,826 lbs whole (vsl/day)
<b><u>Option 1:</u></b> Status quo with increased possession limit per FMP	<b><u>700 lbs tail/2,324 lbs whole</u></b> (vsl/day)
<b><u>Option 2:</u></b> Weekly possession limit	<b><u>4,900 lbs tail/16,268 lbs whole</u></b> <b><u>(vsl/week)</u></b>
<b><u>Option 3:</u></b> To develop a program to match the federal allowance for taking of a double possession limit (the aggregate of two daily limits during one trip) once during each calendar week. If a double limit is taken, one other day of fishing will be forfeited during that week.	



## Hearing Item 1b: Commercial Monkfish Possession limit

### Option 3 details:

- Double possession limit allowed no more than once/week per vessel and/or license
- Double possession limit not allowed on Saturdays
- Call in required
- No possession by vessel and/or license the day following the “double possession”: (e.g., If called in a “double possession limit” on Day 1, cannot possess monkfish on Day 2)



## Hearing Item 2: Proposed amendments to RIMFR Part 6 – General Equipment Provisions

Proposal # 1: Proposed amendments to gill net tagging requirements (section 6.5.3(E)(6))

### Proposed language:

6.5.3(E)(6) Tags shall be attached to the ~~float~~ vertical lines beginning at the ~~westernmost~~ each end of each net string. ~~(as measured on a compass circle from magnetic south through west to, and including, north) exceed every 300 linear feet. The net on the easternmost end of each string as measured on a compass circle from magnetic north through east must have a tag adjacent to the buoy line.~~ The total number of tags must equal the total number of each of the individual 300 foot nets in the string. Each individual string of 450 foot nets shall require two (2) tags. Tags shall be attached to both the bottom and top of the vertical line of the string.



## Hearing Item 2: Proposed amendments to RIMFR Part 6 – General Equipment Provisions

Proposal # 2: Delete regulation regarding gillnet prohibition in Block Island waters (section 6.5.3(K)(7))

### Proposed language:

~~Section 6.5.3(K)(7) Within the waters seaward of Old Harbor, Block Island, from the Block Island shoreline to the one hundred (100) foot depth contour, between November 1 and December 31, annually. This area is bounded by a northerly line running one hundred (100) degrees (true) from Clay Head Point to the black and white whistle out to a depth of one hundred (100) feet. The southern boundary of the closure zone runs from the shoreline on a course of one hundred (100) degrees (true) to the C-3 buoy out to the one hundred (100) foot depth contour. The eastern boundary is a line which corresponds to the one hundred (100) foot depth contour.~~





## Hearing Item 2: Proposed amendments to RIMFR Part 6 – General Equipment Provisions

Proposal # 3: Clarify fyke net registration requirements (section 6.5.4(A))

### Proposed language:

Section 6.5.4(A) The fyke net must be ~~registered with the DFW~~ permitted by DEM prior to being placed in the marine waters of the state. Persons applying for such permit shall provide the dates of use, location, and net measurements.



## Hearing Item 2: Proposed amendments to RIMFR Part 6 – General Equipment Provisions

Proposal # 4: Seine net prohibition in all coastal salt pond channels (section 6.5.5)

### Proposed language:

Section 6.5.5(A) Prohibited areas: In addition to those waters where all netting is prohibited, seine nets are prohibited ~~along the shoreline~~ within one half (½) mile in both directions of the seaward entrance of a following coastal salt pond channels, ~~and extending for a distance of~~ three hundred (300) yards seaward, when the coastal salt pond is open to the sea:

~~Quicksand Pond channel; Tunipers Pond channel; Cards Pond channel; Trustom Pond channel; Quonochontaug Pond channel; Charlestown Pond channel; and Winnapaug Pond channel.~~



## Hearing Item 3: Proposed amendments to RIMFR Part 7 – Seafood Dealers

Proposal # 1: Clarify point of quantity determination (section 7.1.2)

### Proposed language:

Section 7.1.2 Dealers shall ~~weigh~~ have accounted for the quantity by count, weight and/or volume of all marine species landed at ~~prior to their removal from the dealer's premises or from~~ the point of transfer from the harvester.



## Hearing Item 3: Proposed amendments to RIMFR Part 7 – Seafood Dealers

Proposal # 2: Adopt new regulations to specify information required for the dealer's record of sales/transactions (section 7.1.3)

### Proposed language:

7.1.4 Dealers shall maintain a record of transaction for all sales of marine species. The following information shall be maintained at the dealer's place of business and be available for inspection by the Director:

- (A) Sellers' name;
- (B) Seller's commercial fishing license number;
- (C) Date of purchase;
- (D) Species landed;
- (E) Quantity of purchase;
- (F) Signature.



## Hearing Item 3: Proposed amendments to RIMFR Part 7 – Seafood Dealers

Proposal # 3: Adopt regulations to specify additional (i.e., in addition to the requirements as specified in section 7.1.4) information required for record of shellfish sales/transactions. (section 7.2.4)

### Proposed language:

7.2.4 Shellfish dealers shall maintain a record of transaction for all sales of shellfish. The following information shall be maintained at the dealer's place of business and be available for inspection by the Director:

- (A) Sellers' name;
- (B) Seller's commercial fishing license number;
- (C) Seller's date of birth
- (D) Harvest tagging area where shellfish were harvested;
- (E) Quantity of shellfish purchased;
- (F) Species landed;
- (G) Purchase price;
- (H) Date and time of transaction;
- (I) Signature of seller.



## Hearing Item 3: Proposed amendments to RIMFR Part 7 – Seafood Dealers

Proposal # 4: Remove the requirement that transactions be recorded in a “permanently bound ledger”. (section 7.2.4(J))

### Proposed language:

7.2.4(J) ~~Any shellfish possessed by a dealer that measures less than the State minimum size for wild stock must be properly identified as cultured product with appropriate tagging as required by the Director.~~ For transactions of shellfish cultured on an aquaculture lease, Each the dealer shall maintain complete, accurate and legible records sufficient to: (i) document the source of shellfish, and (ii) permit the contents of the container of shellfish to be traced back to the aquaculture lease site and date of harvest. In addition, All purchases and sales transactions shall be recorded in a permanently bound ledger book or other approved recording method authorized by DEM and DOH by a method approved by DEM and DOH.



## **Hearing Item 3:** Proposed amendments to RIMFR Part 7 – Seafood Dealers

**Proposal # 5:** Update/clarify process for approval of shellfish wet storage facilities (section 7.2.8)

### **Main points:**

- Land-based wet storage facilities approved by DOH only
- Open-water wet storage prohibited
- Eliminate bulk of DEM regulations and defer reader to DOH regulations “Rules and Regulations Pertaining to the Processing and Distribution of Shellfish” and the NSSP model ordinance, which are proposed to be “incorporated by reference”
- Not related to aquaculture – separate regulations



## **Hearing Item 3:** Proposed amendments to RIMFR Part 7 – Seafood Dealers

**Proposal # 6:** Provide for consistency with DOH regulations “Rules and Regulations Pertaining to the Processing and Distribution of Shellfish” and NSSP model ordinance regarding dealer handling and tagging of shellfish (sections 7.2.9, 7.2.10, 7.2.11)

### **Main point:**

- Delete DEM regulations and “incorporate by reference” the DOH regulations and the NSSP model ordinance





## Hearing Item 3: Proposed amendments to RIMFR Part 7 – Seafood Dealers

Proposal # 7: Proposal is to clarify rule (section 7.3)

### Proposed language:

7.3 Any person engaged solely in the business of selling seafood, ~~including shellfish (wild or cultured)~~, to consumers, either directly or through restaurants or other retail outlets, and/or engaged solely in the processing or preparation of seafood, including shellfish (wild or cultured), for sale directly to consumers, is not required to be licensed under these regulations, provided that such person purchases or otherwise acquires said ~~shellfish~~ seafood from ~~licensed~~ a ~~shellfish~~ dealers.



End of Slides!

